

FILED
Clerk
District Court

DEC 16 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

ORIGINAL

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Attorney for Defendant
JOSE CRUZ ALDAN aka Joe

IN THE UNITED STATES DISTRICT COURT

FOR THE

NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE CRUZ ALDAN aka Joe

Defendant.

CRIMINAL CASE NO. 05-00009

**DECLARATION OF COUNSEL IN
SUPPORT OF MOTION TO
WITHDRAW**

I, Danilo T. Aguilar, hereby declare;

1. I am an attorney licensed to practice before all courts of the CNMI. I have personal knowledge of the matters stated herein and would be competent to testify to them if called to do so.

2. I was appointed by the Court to represent the Defendant in the above-entitled matter.

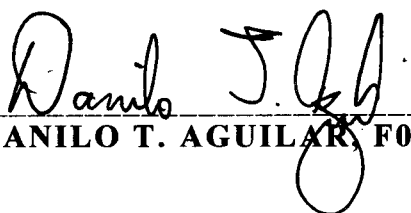
3. During my discussions with him, I found out that he is a co-defendant of Joaquina P. Reyes, whom I also represent in ongoing proceedings before this court.

1 4. Based upon my evaluation of the respective cases of both Mr.
2 Aldan and Ms. Reyes, each party may have potential information to implicate each
3 other for the crimes that have not been charged. My continued representation of
4 Defendant Jose Cruz Aldan will constitute a conflict of interest.

5 5. My withdrawal will permit Mr. Aldan to fully cooperate with the
6 U.S. Attorney's Office and avoid a situation requiring my withdrawal of both Mr.
7 Aldan and Ms. Reyes.

8 6. For the above reasons, I request the Court to permit Counsel's
9 withdrawal from further representation of Defendant, pursuant to Rule 1.16(a)(1)
10 of the Model Rules of Professional Conduct.

11 I declare under penalty of perjury that the foregoing is true and
12 correct and that this declaration was executed on December 15, 2005 at
13 Saipan, Commonwealth of the Northern Mariana Islands.
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19 DANILO T. AGUILAR, F0198
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